

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

TORAN V. PETERSON,

Plaintiff,

v.

UNKNOWN DESROCHERS, et al.,

Defendants.

Case No. 1:19-cv-145

HON. JANET T. NEFF

**ORDER**

This is a prisoner civil rights action filed pursuant to 42 U.S.C. § 1983. Defendants filed a Motion for Summary Judgment (ECF No. 77). The matter was referred to the Magistrate Judge, who issued a Report and Recommendation on March 16, 2021 (ECF No. 103), recommending that the motion be granted in part and denied in part. The Report and Recommendation was duly served on the parties. On three occasions, the Court extended the deadline to file objections to the Report and Recommendation. *See* ECF Nos. 109, 111, & 113. No objections have been filed. *See* 28 U.S.C. § 636(b)(1). Accordingly:

**IT IS HEREBY ORDERED** that the Report and Recommendation (ECF No. 103) is APPROVED and ADOPTED as the Opinion of the Court.

**IT IS FURTHER ORDERED** that the Motion for Summary Judgment (ECF No. 77) is GRANTED IN PART AND DENIED IN PART. Specifically, the motion is denied with regard to the excessive force claims against Defendants Desrochers and Toogood; the motion is granted with regard to the deliberate indifference claims against Defendants Toogood and Lake; and the official capacity claims are dismissed.

Dated: June 24, 2021

/s/ Janet T. Neff  
JANET T. NEFF  
United States District Judge